

A meeting of the Walker River Irrigation District (WRID) Board of Directors was held on June 7, 2021. The meeting was called to order at 10:00 AM at the District Board Room, 410 N. Main St, Yerington, Nevada by President SNYDER.

Present:

| | |
|-------------------|-------------------------|
| Jim SNYDER | President |
| Richard NUTI | Treasurer |
| David GIORGI | Director |
| Dennis ACCIARI | Director |
| Robert BRYAN | General Manager |
| Dale FERGUSON | Legal Counsel |
| Jessica HALTERMAN | Secretary |
| Sandy NEVILLE | Water Rights Specialist |

Public Present:

| | | |
|-------------------------|----------------------|------------------|
| Joanne Sarkisian, USBWC | Taylor Thomas, USBWC | Darrell Pursel |
| Ed Ryan, MV/SVCD | Wyatt Fereday, NDWR | Silas Adams, WBC |

Public Present via phone:

Dave Hockaday

1. Public Comment

Darrell Pursel stated the automation on the Hall Ditch is not functioning properly. He advised he was shorted by $\frac{1}{2}$ to $\frac{3}{4}$ of a foot of water on two occasions. Mr. Pursel contacted Taylor Thomas and Joanne Sarkisian of the USBWC and they advised the automatic controls were not calibrated correctly and he needed to contact WRID. Upon contacting GM BRYAN, Darrell was asked if he knew how to read a staff gauge. Mr. Pursel did not appreciate the question. During subsequent conversations with USBWC, Mr. Pursel requested a flow chart and realized the chart was wrong; USBWC stated they were not given an updated chart. GM BRYAN stated the takeout was built in 2015/16. Dr. Styles did the as-built shots in 2018. The Replogle flume was built according to the engineered drawings, but with concrete settling, there was a slight shift. When Dr. Styles did the as-built shots, it revealed the staff gauge needed to be adjusted as the canal was shifted .07 to the positive resulting in the Hall getting more water from 2015-2018 than it should have. The report Dr. Styles gave in 2018 explains the need for the correction, how the electronics were recalibrated, and a new flow chart was created. That chart was distributed to those who needed it. The only way the measurements can be off is if the calibration is shifted, or if the river goes up or down and the gate is locked in manual. If the gate is not in full automatic, the gates will not adjust according to the pool level. GM BRYAN offered to check the system to verify what days the gates were in manual and when they were in automatic. Mr. Pursel stated the morning levels are usually fine, but the flow drops in the afternoon. Treasurer NUTI questioned if the measurement was short at the takeout or the main headgate; Mr. Pursel stated it is shorted $\frac{1}{2}$ to $\frac{3}{4}$ foot at the headgate at the river. Mr. Pursel stated the system worked better before the automation; GM BRYAN stated the gate belongs to the G&H and can be locked into manual if that is what is desired. President SNYDER asked if there is a reason why the flows dropped in the afternoon; GM BRYAN

stated the only two ways that would happen is if the gate is locked into manual or if the gates are torqued out. Director GIORGI asked how often the sensor device must be cleaned; GM BRYAN stated they are designed for sewage ponds and do not have to be cleaned often. The sensors are pulled each winter before ice accumulates. They are also re-calibrated each year when put back into the water. Treasurer NUTI asked what the flows were when the problems occurred; Mr. Pursel stated once was 2cfs and once was 6cfs. Treasurer NUTI asked what the capacity is; GM BRYAN stated 80cfs. Treasurer NUTI stated Dr. Styles mentioned the accuracy of low flows may not be as accurate if the capacity is high. GM BRYAN stated the Water Right Specialist can rate the canal if needed.

2. Consideration of Minutes of the May 7, 2021 Regular Meeting

Director GIORGI made a motion to approve the minutes; Treasurer NUTI offered a second. The vote was called for and passed.

3. Water Master’s Report

Joanne SARKISIAN reported Bridgeport is at 12,470 acre-feet (30%), an 1867 decree and releasing 77.7 feet. Topaz is at 17,760 acre-feet (30%), an 1885 decree and releasing 318, but 50cfs is coming in behind the reservoir. The trans-evaporation rate is 19%. Over the last week below Little Walker was upward of 600 feet, today is 0 SWE. There was 437 this morning and 412 just before the meeting. Joanne will keep the decree going as long as possible. Treasurer NUTI asked when Joanne projects the decree to reach 1885; Joanne stated it is set for 1885 on Saturday for Monday. President SNYDER asked what the trend on the East looks like; Joanne stated there is no water. GM BRYAN stated NRCS sent the June-August projected flows. East is projected to be 1.2k which is roughly 3% of average. Joanne stated the presidents of the 4 East ditches have been notified that when there is excess water available, the president will be notified that day and they can distribute it as they see fit.

4. Staff Reports:

A. Treasurer’s Report

Treasurer NUTI reported as of May 31, 2021:

| | |
|----------------------|----------------|
| Cash in Checking | \$ 250,928.96 |
| Cash in Money Market | \$ 571,867.32 |
| Cash in CDs | \$ 749,661.39 |
| Total | \$1,572,457.67 |

B. Consideration of Bills and Payroll for payment

May 2021 Bills & Payroll

| <u>Check</u> | <u>Effective</u> | | |
|---------------|------------------|--------------------|---------------------|
| <u>Number</u> | <u>Date</u> | <u>Vendor Name</u> | <u>Check Amount</u> |
| 122003 | 5/5/2021 | AFLAC | \$ 35.70 |

| | | | | |
|--------|-----------|----------------------------|----|-----------|
| 122004 | 5/5/2021 | Ameritas Life Insurance | \$ | 907.60 |
| 122005 | 5/5/2021 | Marianne Leinassar | \$ | 500.00 |
| 122006 | 5/5/2021 | True Value | \$ | 238.96 |
| 122007 | 5/5/2021 | Pitney Bowes Global | \$ | 30.00 |
| 122008 | 5/5/2021 | Power Plan | \$ | 3,839.71 |
| 122009 | 5/5/2021 | Public Employees' Benefits | \$ | 870.23 |
| 122010 | 5/5/2021 | Purchase Power / Pitney | \$ | 352.00 |
| 122011 | 5/5/2021 | Quill | \$ | 41.94 |
| 122012 | 5/5/2021 | NV Energy | \$ | 188.19 |
| 122013 | 5/5/2021 | Southwest Gas | \$ | 86.74 |
| 122014 | 5/5/2021 | Desert Engineering | \$ | 1,242.77 |
| 122015 | 5/5/2021 | PERS Administrative Fund | \$ | 8,179.76 |
| 122016 | 5/12/2021 | Giomi, Inc. | \$ | 257.90 |
| 122017 | 5/12/2021 | AT&T | \$ | 155.92 |
| 122018 | 5/12/2021 | John Deere Credit | \$ | 375.90 |
| 122019 | 5/12/2021 | Jim Menesini Petroleum | \$ | 39.14 |
| 122020 | 5/12/2021 | NV Energy | \$ | 36.79 |
| 122021 | 5/12/2021 | Wells Fargo Card Services | \$ | 2,113.92 |
| 122022 | 5/12/2021 | Xerox Financial Services | \$ | 235.42 |
| 122023 | 5/12/2021 | City of Yerington | \$ | 130.25 |
| 122024 | 5/26/2021 | Sticks and Stones | \$ | 566.00 |
| 122025 | 5/26/2021 | NAPA AUTO & TRUCK | \$ | 303.54 |
| 122026 | 5/26/2021 | Lyon County Recorder | \$ | 37.70 |
| 122027 | 5/26/2021 | MF Barcellos | \$ | 3,221.89 |
| 122028 | 5/26/2021 | Mickey Mutual Ditch Co. | \$ | 7.42 |
| 122029 | 5/26/2021 | NWRA | \$ | 300.00 |
| 122030 | 5/26/2021 | O'Reilly Automotive, Inc. | \$ | 197.11 |
| 122031 | 5/26/2021 | Quill | \$ | 137.98 |
| 122032 | 5/26/2021 | Alhambra | \$ | 39.87 |
| 122033 | 5/26/2021 | Standard Insurance | \$ | 234.52 |
| 122034 | 5/26/2021 | Vision Service Plan | \$ | 186.05 |
| 122035 | 5/26/2021 | Woodburn & Wedge | \$ | 37,405.59 |
| 122036 | 5/26/2021 | HomeTown Health | \$ | 7,421.23 |

| | | | | |
|----------------------------------|-----------|---------------------------|-----------|-------------------|
| 122037 | 5/26/2021 | Smith Valley Conservation | \$ | 6,087.63 |
| 122038 | 5/27/2021 | NV Energy | \$ | 5,345.23 |
| PAYROLL | | MAY PAYROLL | \$ | 44,655.79 |
| Total Bills & Payroll | | | \$ | 126,006.39 |

Director ACCIARI made a motion to approve the bills; Director GIORGI offered a second. The vote was called for and passed.

C. Manager’s Report

GM BRYAN reported Topaz is at 17,780 acre-feet (30%) and Bridgeport is at 12,470 acre-feet (29%). There is still 5,9478 acre-feet to serve on the East and 4,965 acre-feet to serve on the West. The levels are looking okay but GM BRYAN will keep an eye on them. GM BRYAN does not believe we are at the point of filing a temporary urgency permit to protect the pool. If the water is kept in the pool, it will evaporate at a higher rate, but it is encouraged to take storage water when users can.

The shop crew has completed repair and maintenance at the Topaz Diversion. They are working on the Wabuska Drain and have a few areas to clean on the East Drain. Also continuing maintenance on the Saroni and the High.

GM BRYAN gave an update on Legislature: AB5 failed, AB6 been passed and signed by the Governor, AB146 passed and has been delivered to the Governor for signing, AB354 failed the Assembly, AB356 passed and is enrolled and delivered the Governor.

On May 13th, GM BRYAN attended the Lahontan Regional Water Quality Control Board meeting where they began the discussion on the micro bio water quality standard dropping the fecal coliform and adopting e-coli. There was a lot of discussion. The Board did not make any decisions as they requested more information. They are anticipating having the information back to the Board in the early fall. GM BRYAN will keep the Board informed.

On May 19th, GM BRYAN met with Wyatt and Adam Sullivan to discuss the water year and drought conditions. It was a great discussion about conveyance loss, drought conditions, and self-reporting. Adam requested to be part of the July 7th meeting to discuss the drought conditions. The State Engineer has typically recognized 30% conveyance losses, but some canals do have up to 60% conveyance losses so the District will continue gathering the loss data and reporting to the State Engineer.

On May 26th, GM BRYAN participated in the Nevada Silver Jackets EAP workshop. The informative workshop was based on how to exercise existing EAPs and it offered insight to once everything his finalized with the District’s current EAPs.

On May 26th, GM BRYAN received an email request from the Utah National Guard to potentially place a couple tents and a generator on the District's property adjacent to Bryant Airfield. The National Guard is performing helicopter training over the next week and has outgrown their spot at the airfield. Counsel DePAOLI, GM BRYAN and the Guard's lawyers worked together to enter into a license agreement. The Guard will be at the property today through June 15th.

D. Legal Counsel's Report

Counsel FERGUSON reported the plaintiffs in the US Tribe case have served discovery that Counsel is working on response to. The response will be responded to later this month or mid-July. In the Mineral County case, Counsel is working on service docs that need to be put in place for the case to move forward. Mineral County was required to file amended complaint by June 30th.

E. Review and approval of monthly storage transfers.

Director GIORGI made a motion to approve the transfers; Treasurer NUTI offered a second. The vote was called for and passed.

F. Storage Water Leasing Program Update

GM BRYAN stated there was a pre-program year meeting with WRID, WBC, NFWF, USBWC, BIA, WRPT, NDWR, MBK and legal. The proposed distribution plan was presented. A plan A and Plan B were presented. The plan must be filed to the State of California at least 30 days prior to the release, but it is being filed today. The release can begin mid-late July and will wrap up late September or beginning of October according to the historic time the storage water would be called for. There has been discussion to use the program water to keep a static river level to minimize conveyance losses. GM BRYAN and Water Master Sarkisian will continue to meet with MBK to monitor the condition. As of the closing of applications, there was 702.8274 acre-feet in the Program with 275.5 acre-feet from Topaz and 427.2506 acre-feet from Bridgeport. The Conservancy entered 527.6421 acre-feet into the Program. The temporary applications will be submitted to the Nevada State Engineers Office.

5. Update from the Division of Water Resources regarding groundwater pumping and upcoming fieldwork schedules.

Wyatt FEREDAY stated the reporting order is in effect for all wells with 5 acre-feet or more. Currently, there is approximately 2/3 compliance which is good since the order was issued in December. Wyatt has been contacting those who have not submitted the reports. Kerry did retire and is not checking meters each month. The reporting can be completed via mail or the website. Accurate pumping numbers are not available yet, but once more compliance is obtained, the numbers will be more accurate and available. Director GIORGI asked if meter readings will be completed at the end of the year; Wyatt stated he will spot check the wells that have not sent in data, but a full reading will be performed at the end of the year.

6. Update by the Walker River Conservancy on activities related to the Walker Basin Restoration Program, including Acquisitions and Conservation and Stewardship Activities.

Silas stated the temporary change application with NDOW is on pause because it is too dry. Change application 90690 has been sent for draft comments, the same kind of requirements must be followed, and it should be published soon. The Conservancy is still performing interviews for the Executive Director.

7. Consideration of directing Manager, staff and legal counsel to draft, for future Board consideration, policies, enforceable by regulation or otherwise, concerning fees for services provided to ditch companies, such as payroll services, moderating and taking minutes of meetings, for water card revisions, late fees and/or interest charges for past due invoices, and delinquent reserved water rights assessments, prepayment requirements for projects and material purchases and other revenue sources, such as copy charges.

GM BRYAN stated the office staff has been working on internal controls based on recommendations from auditors and Board Members. Discussion on items included:

1. Monthly Payroll Fee for Ditch Companies- some ditch companies have unofficially hired the District to perform payroll services. The services do take staff time and costs to mail the bills. Most of the bills are paid on time, but there are some ditch companies who are delinquent for several months.
2. Clerical Fee for work beyond normal duties- there is an approved \$40/hr clerical charge approved in the Budget, but it is not specified what that fee can be applied to. The District does have water right holders, ditch companies, etc. who request years of water right documents and/or historical data searches that take several hours. Some ditch companies have requested the District prepare and mail annual agendas and handle minute taking, typing and distributing each year.
3. Water Card Change fee- this was a recommendation from TCID. Agencies and individuals now have multiple water cards and make changes to their name, address, etc. often resulting in several hours of changing each individual cards.
4. Late fees and interest charges for past due invoices- there are a handful of invoices that have been outstanding for over a year with no interest or late fees accruing.
5. Pre-payment of projects and material purchases- water right holders and ditch companies often hire the District or order material through the District and the costs add up quickly. The District pays the vendors, but does not receive money until the project is complete. A ditch company has not paid on their outstanding project invoice for over a year.
6. Payment plan upon completion of large projects- some projects can be expensive, and the District would like to work with the user to ensure a consistent payment on the balance each month.
7. Reserved Assessment Delinquent Fee Schedule- there is currently no fee schedule for Reserved Water Rights and the District has a user who has not paid assessments for approximately 15 years. This topic may need further investigation by legal counsel as it may dictated by NRS.
8. Revenue sources TCID suggested- fee per page printed, standard email fee, water transfer fee. This topic was included to show what other irrigation districts charge.

After discussion on the above topics, Director ACCIARI made a motion to direct manager, staff, and legal counsel to draft, for future board consideration, policies enforceable by regulation or otherwise considering fees for services provided to ditch companies and users; Treasurer NUTI offered a second. The vote was called for and passed.

8. Review and consideration to enter into a lease agreement with the USBWC for rent of office space at WRID office at 410 N Main Street Yerington, NV 89447.

GM BRYAN advised that per several past audits, a lease agreement with USBWC where a flat monthly fee is payable to the District. Currently, the USBWC has a low rent fee, but pays 1/3 of the utility costs. A draft lease agreement was included in the Board Packet. Water Master Sarkisian, USBWC legal counsel and Board have reviewed the agreement and agree with the draft.

Treasurer NUTI made a motion to approve the 2 year lease agreement with USBWC and authorize the General Manager to execute the agreement; Director GIORGI offered a second. The vote was called for and passed.

9. Annual review on the performance of the Walker River Irrigation District General Manager Robert C. Bryan and consideration of possible adjustment in compensation.

Counsel FERGUSON advised he had a summary of the evaluation reports. Ratings are 1= unsatisfactory, 2= fair, 3= satisfactory, 4= good, and 5= excellent. Six areas of performance were rated as follows:

Job Knowledge 5.0
Interaction/Communication 4.8
Decision Making 4.8
Planning/Organization 4.8
Public Relations 5.0
Work Environment/Safety 4.6
Overall 5.0

GM BRYAN's strengths were identified as working hard and continuing to grow in his management ability. An area of improvement recommendation was to keep the Board informed of improvements in the District. Future goal recommendation was to continue with improvements and to solicit employee comments on how to improve job performance.

Counsel FERGUSON advised there were salary increase recommendations from 2-10% with an average increase of 7.5% and the increase would have an effective date of May 2, 2021. President SNYDER asked where GM BRYAN's salary is at compared to his peers; GM BRYAN stated TCID pays their GM \$242,000/year.

Director ACCIARI made a motion to approve a 10% raise effective May 2, 2021; Director GIORGI offered a second. The vote was called for and passed.

10. Director Comments

Director GIORGI asked if there have been any problems with trespassers at Topaz; GM BRYAN stated he has not received any complaints. Treasurer NUTI asked if people are allowed to go to the back side of Topaz; GM BRYAN stated all of that area is WRID property but it is managed by Douglas County. Last year Douglas County had record numbers and paid the District for the excess. Director GIORGI asked when the breakwater will be installed; GM BRYAN stated Douglas County has approved it, but it has not been started. Director GIORGI asked if the warning signs were posted for the discharge; GM BRYAN stated the signs are posted and the shop crew has verified that with pictures.

11. Public Comment

None presented.

12. Adjournment

Director ACCIARI made a motion to adjourn; Treasurer NUTI offered a second. The vote was called for and passed. The meeting was adjourned at 11:50 am.

Jim Snyder, President

Marcus Masini, Vice President

Richard Nuti, Treasurer

Dennis Acciari, Director

David Giorgi, Director